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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/796,305 02/07/97 KILIEWA

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EXAMINER

TRAN LIEN, T

ART UNIT

PAPER NUMBER

1761

26

DATE MAILED:

12/19/00

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 11/22/00

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 30-63 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 30-63 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of Reference Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☒ Review Summary, PTO-413

☐ No

PTOL-326 (Revision) Draftsperson's Patent Drawing Review, PTO-948

Application, PTO-152

- SEE OFFICE ACTION ON THE FOLLOWING PAGES -

BEST AVAILABLE COPY

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1. Claims 30-39,48 and 56 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention, for the same reason set forth in paragraph 1 of paper no. 20.
2. Claims 30,39,48 and 56 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, for the same reason set forth in paragraph 2 of paper no. 20
3. The 112 first paragraph rejection of claims 39-47 and 56-63 is maintained for the same reason set forth in paragraph 1 of paper no. 18.
4. Claims 30-31, 36,48-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Dartey et al for the same reason set forth in paragraph 3 of paper no. 18.
5. Claims 30-32, 34,39-41,43,48-49,51-52 and 56-59 are rejected under 35 U.S.C. 102(b) as being anticipated by Engelbrecht et al for the same reason set forth in paragraph 4 of paper no. 18.
6. Claims 37-38, 54-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dartey et al in view of the textbook " The Encyclopedia of Chemical Technology " for the same reason set forth in paragraph 5 of paper no. 18.
7. Claims 33, 35, 37-38, 42, 45-47, 53-55 and 61-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Engelbrech et al in view of the textbook " Encyclopedia of Chemical Technology" for the same reason set forth in paragraph 6 of paper no. 18.

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8. Claims 44 and 60 are allowable over the prior art for the same reason set forth in paragraph 7 of paper no. 18.

9. All arguments had been addressed in previous office actions; accordingly, they will not be repeated in this office action.

All claims are drawn to the same invention claimed in the parent application prior to the filing of this Continued Prosecution Application under 37 CFR 1.53(d) and could have been finally rejected on the grounds and art of record in the next Office action. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing under 37 CFR 1.53(d). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lien Tran whose telephone number is (703) 308-1868. The examiner can

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normally be reached on Wed-Fri from 5:30 to 4:00. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7718.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

December 15, 2000


LIEN TRAN
PRIMARY EXAMINER
